



LAMPREY TECHNICAL REVIEW COMMITTEE

NH Instream Flow Pilot Program
New Hampshire Department of Environmental Services
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Lamprey TRC Meeting Minutes

Monday, January 24, 2005

9:30 am – 11:30am

Room 110/111, NHDES, Concord, NH

Members Present:

Brian Gallagher	NH Water Works Association
James Hewitt	Wright-Pierce Engineers
Robert Flynn	US Geological Survey
Jim MacCartney, Chair	Trout Unlimited/River Restoration Specialist
Colleen Dreher	Durham Boat Company
Douglas Bechtel	The Nature Conservancy
Ronald Rayner	Business Industry Association of NH
Ralph Abele	US EPA / Manager of NH State Program Unit
Kenneth D. Kimball, PhD	Appalachian Mountain Club Research Department
Richard Cooney	NH House of Representatives
Carl Paulsen, Vice Chair	NH Rivers Council

Members Absent:

William Ingham	NH Fish and Game Department
Vernon Lang	US Fish and Wildlife Service
Carl R. Johnson	NH Senate

Others Present:

Suzanne Wall	Andover Geologic Consulting
Michelle Daley	UNH

DES Staff Present:

Wayne Ives, Instream Flow Coordinator
Marie LosKamp, Executive Secretary, Watershed Management Bureau

NHDES Presentation: Lamprey River Instream Flow Pilot Program

Discussion of Pilot Program and Duties of the TRC

Project Timeline

Wayne opened meeting and gave a presentation on the Lamprey, tying it in with the Souhegan and what is expected of the committees. The TRC needs to make selection of chair and vice chair and pick two members for the consultant selection team today once we have enough members for a quorum.

(The PowerPoint presentation made by Wayne Ives is on the web site for committee members to review.) Wayne went over the acronyms pertaining to this program. RSA 483 is

the statute that created this program. The presentation is an overview of the rules that created this program, which is under legislative overview. It also included what is entailed in this program and what the duties are of the TRC. Discussions and questions were asked as the presentation proceeded. The Lamprey designation is a legislatively defined river reach, designated in 1990, one of the first designated reaches. Wayne also went over the contents of the binders that were handed out to all TRC committee members.

All TRC members are invited to attend meetings of the WMPAAC meetings and TRC members will be notified of their meetings. Members represent their stakeholders: business, government, conservation interests, and we are looking for your advice and criticism. Things you do in this process may differ from what was done for the Souhegan. TRC will review consultant's work products, develop IPUOCR list.

The consultant selection committee - two volunteers to take with them the qualification packages submitted by consultants and next week February 7th meet at DES with other members of the consultant selection committee to review, score, and select the top 3 or 4 companies that we will ask for a proposal. They have a month to put proposal together, including an interview process. So there will be two reviews required and two meetings.

A request was made to see the proposals prior to the interviews. The proposals may be posted to the DES web site or to a File transfer Protocol directory if a, password protected directory can be set up. for concern of confidentiality in the proposal stage. Wayne will have two copies available.

Ken Kimball –The purpose of the pilot study is to develop a program that can be used throughout the state. What is best for the Lamprey? Should we go a second route? If we are comfortable with what is going on in Souhegan, then we should adopt. We already have Souhegan as a template, but process has to be evaluated. Do we keep going with the same techniques or go with some other technique that gets to the same end point.

Introductions

Backtracked to do introductions once people had arrived.

Wayne then went over the contents of the binders in more detail explaining all the sections and what are in each section. Wayne would really like members to focus on Section 9-c in RSA 483 after the meeting. ISF is a component of RSA 483. House Bill 4 for Souhegan requires committees and changes deadlines.

Federal Government returned us money for this project. Money for Lamprey was from a bill put through by Senator Gregg. Money is through NOAA. We have been granted the money and are just waiting for it to be accepted and budgeted by the state.

Wayne went over the Instream Flow Rules and the scope of work for developing instream flow and a water management plan. The scope of work was developed from the ISF Rule's Section 1905. TRC should look at definitions like the de minimus amount. The de minimus amount is not a ceiling for water use, it is a floor. It is 5% of 7Q10 stream flow - a statistically determined amount available in aggregate to all users.

11:00 – 11:15 Election of Chair and Vice-Chair

Wayne asked for volunteers or nominations for the chair position,

- **Ken Kimball nominated Jim MacCartney as the chair, and there were no other nominations. All in favor of Jim as Chair for the TRC. Vote was unanimous.**

Wayne asked for volunteers or nominations for Vice Chair who will fill in for chairman and support the process.

- **Rep Cooney nominated Carl Paulsen for Vice Chair, and there were no other nominations. All in favor of Carl Paulsen for Vice Chair for the TRC. Vote was unanimous.**

Wayne turned the meeting over to Jim MacCartney, Chair.

11:15 – 11:30 Selection of two members for the Consultant Selection Team

Jim asked for volunteers for two members for the consultant selection team. First meeting is 2/7/05, duties for screening consultants, we have 7 and need to pick 3 or 4, and it requires a fair amount of reading.

Wayne - Ranking criteria are established – This is a formal way of looking qualifications and then identifying the top 3 or 4. Proposals will come in and then we will have to rank them.

Ronald Rayner would volunteer but can't make the meeting on 2/7/05.

Ken Kimball – Many are the same firms as the Souhegan with one new team which is Gomez and Sullivan with UNH. Similar firms one or two new firms, several are people that applied before. One is exactly the same. I would be curious to know, as to the general techniques that they were proposing.

Ron Rayner and Ralph Abele agreed to make up the members of the consultant selection committee.

Ralph Abele – The real difference between the applicants [in the Souhegan process] was how they would manage the limited funds they have. Important that selection committee not just vote on knowledge but also what was learned from last process.

- **Wayne** will asked for 8 proposals so that committee members can have two to read, and will ask for electronic documents also, and then if you have comments then you can get in touch with Ron or Ralph. This is the way Ralph feels it should be done because it was hard to read the summaries and get a comprehensive feel for the consultants. Differences came through clearly in the interviews and there were some clear differences in the proposals but it wasn't obvious from the summary pages. We will put proposals someplace that is safe that everyone can get them. Presentations were all very good.

Wayne will check into whether committee members interested in attending interview process can attend. Wayne made clear that the selection committee needs to remain focused.

Cost is not a consideration in the selection process. In the proposal we have stated the amount of money. Everyone knows how much money there is and can put in that much effort.

James Hewitt – His company is part of one consulting team so he can't be on selection committee.

What goes on in this committee is a public forum.

If you have places that meeting notifications should be posted, Wayne will provide copies. Wayne sends a copy of agenda to town hall of where we meet and on bulletin board out here at DES. If you have other places where to post, please advise.

A question was asked concerning the WMPAAC status. Lamprey WMPAAC held a meeting Friday, but because of delays in governor and council appointments it was an unofficial meeting– no chair or vice chair yet. There will be an election at their next meeting. Two were chosen for the selection committee, Kevin Webb and Bob Lesvesque, with Harry Stewart and Paul Currier from NHDES and two from TRC.

Jim MacCartney – Selection committee meeting would not be a public meeting. Can we have TRC and WMPAAC be invited to selection committee meeting? Presentation of their proposal, time set aside for post interview discussion, then members convene and discuss interview. You will be there and can ask questions, after the proposing company has left you can put your thoughts forward that selection committee would be able to use this in their final decision.

RFPs mailed out by the 11th, consultants will be notify by email as soon as selection is done. Shortlisted consultants are required to show up February 18 with one or more members for a Q&A session. Wayne will give a presentation on the scope of work. TRC looking at coordinating the next meeting to coincide with interviews of firms that are short listed. Wayne stated that members can review the proposals. We could meet sometime before, possibility to meet before interviews. Timeline was reviewed.

Ken Kimball – Ralph Abele gave a presentation on instream flow techniques [previously for the Souhegan]. Would like to consider having a short presentation and also to have a summary of the Souhegan situation ready before a final decision is made on the Lamprey selection.

Ralph was asked to give his power point presentation of instream flow techniques because all members would like to see this.

Ron Rayner – Do the presentation concurrent with receiving proposals and distributing, I would like to hear Ralph's presentation, what would we do different today on Souhegan than you did?

Doug Bechtel – We are selecting a method that will be used by the state. There is a scope of work and UNH's proposal on the web site. (The RFP is under reference documents for the Souhegan and it has the scope of work.) There is also an environmental assessment required by federal government because of federal funding. Lamprey RFP will be pulled together soon. The Lamprey document should be available and posted to web site and it can also be put on file transfer protocol directory.

Ron – Corrections made to his email. – eiwm@comcast.net. Wayne could you send us two links to the Souhegan and send same thing for the Lamprey.

Other email address corrections

J Hewitt JAH@wright-pierce

C Paulsen c_Paulsen@NHRivers.org.

Ken – kkimball@outdoors.org

Colleen Dreher CFUEUSRT@cris.com

Wayne will send corrected list out by email.

11:30 - Other Business:

Next meeting – Results of selection process

JIM – We will meet for Ralph to give the presentation on instream flow techniques, update on Souhegan and have it coincide with arrival of proposals here at DES.

March 14th next meeting - have proposals come in Thursday (March 10) and then have our meeting on Monday.

- **Next Meeting of the Lamprey TRC March 14th at 9:30 am, Wayne will find space here in Concord.**
- **Meeting date for final selection – Interviews – March 28th as first choice and back up of April 4th for second choice. Check into the TRC coming as a group to hear presentations but only two members have a vote. Others could put in their comments, probably an all day meeting.**

Wayne still has to check with WMPAAC selection members. Select two possibilities – pick two dates, because of scheduling conflicts, if legislators aren't going to be there, we have more flexibility.

11:50 Motion to adjourn made by James Hewitt, seconded by Carl Paulsen and vote was unanimous.